

Gopal Kumar & Ors. Vs.the State (Nct of Delhi) & Anr.

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Court : Delhi

Decided On : Sep-25-2018

Appellant : Gopal Kumar & Ors.

Respondent : The State (Nct of Delhi) & Anr.

Judgement :

\$~78 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + CRL.M.C.
4753/2018 Judgment delivered on:

25. 09.2018 GOPAL KUMAR & ORS.

... Petitioner

s THE STATE (NCT OF DELHI) & ANR. versus

... RESPONDENTS

Advocates who appeared in this case: For the

... Petitioner

: For the Respondent: Mr. Sanchit Vashistha, Adv. Mr. Raghuwinder Verma, Addl.
PP for the State with SI Omveer Singh Ms. Suman Sharma, Adv. for R-2
CORAM:-

"HONBLE MR JUSTICE SANJEEV SACHDEVA JUDGMENT2509.2018
SANJEEV SACHDEVA, J.

(ORAL) 1.

... Petitioner

s seek quashing of FIR No.525 of 2016 under Sections 498A/4 of the IPC registered at Police Station Nand Nagari, Delhi, based on a settlement. It is contended that the FIR was lodged consequent to a matrimonial discord.

2. Learned counsel for the parties submit that the parties have entered into a settlement before the Delhi Mediation Centre, Dwarka Courts, Delhi on 30.10.2017. Parties have already been divorced by CRL.M.C. 4753/2018 Page 1 of 3 way of a decree of divorce by mutual consent, passed on 22.03.2018.

3. As per the settlement, a total sum of Rs. 4,50,000/- has been agreed to be paid to respondent No.2. A sum of Rs. 3,00,000/- has already been paid and the balance sum of Rs. 1,50,000/- has been paid by way of DD No.413532 dated 13.09.2018 issued by Oriental Bank of Commerce, today in Court to respondent No.2 who is present in Court in person.

4. As per the settlement, the petitioner who is present in Court, undertakes that he shall withdraw the case filed by him against respondent No.2. The undertaking is accepted.

5. Respondent No.2 is present in court in person, represented by counsel and is identified by the IO. Respondent No.2 submits that she has settled the dispute with the petitioners and is agreeable to the settlement and does not wish to press the criminal charges against the petitioners any further.

6. In view of the fact that the disputes between the petitioner and respondent No.2 emanate out of a matrimonial discord and have been settled, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating CRL.M.C. 4753/2018 Page 2 of 3 there from.

7. In view of the above, the petition is allowed. FIR No.525 of 2016 under Sections 498A/4

of the IPC registered at Police Station Nand Nagari, Delhi, and the consequent proceedings emanating there from are, accordingly quashed.

8. Order Dasti under signatures of the Court Master. SEPTEMBER25 2018 rs SANJEEV SACHDEVA, J CRL.M.C. 4753/2018 Page 3 of 3

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